

Serial No. 09/616,372

AMENDMENTS TO THE DRAWINGS

The attached drawing sheet include includes changes to Fig. 3

Attachment: Replacement Sheet

REMARKS

Claims 1-3, 5-7, 9, 10, 12-14, 16-18, 20, 21, 23 and 24 are pending. Claims 4, 8, 11, 15, 19, and 22 have been canceled. Claims 23 and 24 are new. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The applicants are grateful to examiner Souw and supervisory patent examiner Lee for the interview of 20 April 2004. In the interview, it was agreed that the finality of the final office action would be withdrawn. It was further agreed that the exposure period should be clarified in the claims. No agreement was reached as to allowability of the claims. During the interview, the undersigned explained the invention and requested clarification of the rejection.

In paragraph 4 of the outstanding office action, the drawings were found to be objectionable for a failure to label the vertical axis of the graph of Fig. 3 with the word "apparent." A replacement sheet is attached in which the vertical axis of Fig. 3 has been labeled as "Apparent SiO₂ film thickness (')

In paragraph 5 office action, claims 1, 5-7, 12, and 16-18 were rejected under 35 USC 103(a) as being unpatentable over Bozada *et al.* in view of Kobayashi *et al.* The applicants respectfully request withdrawal of this rejection for the following reasons.

Claims 1 and 5 now recite measuring the thickness of the oxide film by irradiating the oxide film with light to obtain a temporary thickness and determining an actual thickness based on the temporary thickness and the exposure period. This clarifies claims 1 and 5 and distinguishes claims 1 and 5 from Bozada *et al.* and Kobayashi *et al.* Neither of the patents to Bozada *et al.* and Kobayashi *et al.* discloses or suggests measuring the thickness of the oxide

film by irradiating the oxide film with light to obtain a temporary thickness and determining an actual thickness based on the temporary thickness and the exposure period. Therefore, the rejection of claims 1 and 5 should be withdrawn.

Claims 6 and 7 depend on claim 5 and are thus considered to be in condition for allowance for the reasons given above with respect to claim 5.

Claims 2 and 9 were objectionable to as being dependent on a rejected base claim but were said to be allowable if rewritten in independent form. Claims 2 and 9 have been rewritten in independent form including the limitations of their respective base claims, except that the phrase "in accordance with the exposure period" has been removed from these claims to improve their clarity. Therefore, claims 2 and 9 and their dependents are considered to be in condition for allowance.

Claims 3, 10, 14, and 21 were said to contain allowable subject matter if amended to include the word "apparent" before "thickness of the oxide film." Claims 3, 10, 14, and 21 were so amended and are thus considered to be in condition for allowance.

Claims 12 and 16 were said to contain allowable subject matter if the word "actual" is inserted before "thickness of the oxide film." Claims 12 and 16 have been so amended. Further, the phrase "in accordance with the exposure period" has been removed from these claims to improve their clarity. Thus, claims 12 and 16 and their dependents are considered to be in condition for allowance.


Claims 23 and 24 are new. Claims 23 and 24 have the same language of claim 6 and 7; however, new claims 23 and 24 depend on claim 9 and are thus indirectly dependent on claim 5. Therefore, claims 23 and 24 are considered to be in condition for allowance for the reasons given above with respect to claim 5.

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In view of the forgoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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